

IV.

## Youth Eligibility

## **WIA Youth**

The Workforce Investment Act (WIA) serves two youth participant populations:

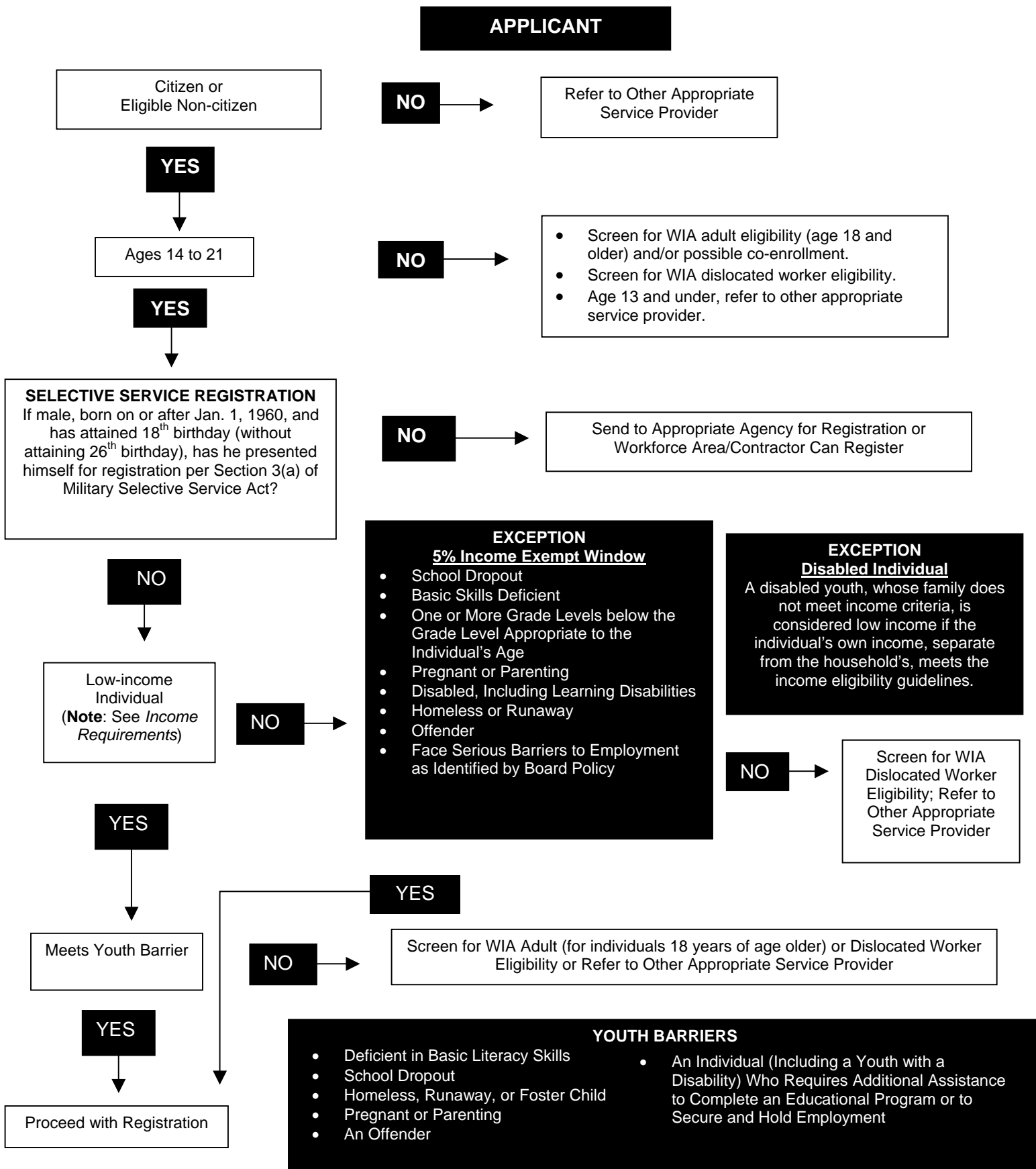
- Older youth, ages 19–21; and
- Younger youth, ages 14–18.

WIA is very specific when addressing youth programs. Local youth programs offer year-round services (not just summer activities) and are designed to:

- Provide an objective assessment of each youth participant, including a review of academic and occupational skill levels, as well as the service needs of each youth;
- Develop an individual service strategy for each youth participant, including identifying an age-appropriate career goal;
- Provide preparation for postsecondary educational opportunities; and
- Provide linkages between academic and occupational learning.

This section provides information for determining eligibility for the youth program. See Section V for verification and documentation for WIA eligibility.

# WIA YOUTH Eligibility Flowchart



## ***WIA Youth Eligibility Requirements***

### **ACT AND/OR REGULATION CITATION**

Act 188(a)(5)

Act 189(h)

Act 101(13)(A); 20 CFR 664.200(a)

Act 101(25); 20 CFR 664.200(b)

Act 101(13)(c); 20 CFR 664.200(c)

### **WIA ELIGIBILITY REQUIREMENTS YOUTH (14 – 21)**

An individual who is not less than 14 and not more than 21 shall be eligible to participate in the WIA Title I Youth Program if such individual:

Meets General Eligibility, which consists of providing a verification source for each applicable category.

- Citizenship or Eligible to Work
- Selective Service Registrant (if applicable)
- Age

#### **AND**

Meets the definition and provides a verification source for one of the following Low-income categories:

- Cash Public Assistance
- Family Income at or below the Poverty Line or 70% of the Lower Living Standard Income Level (LLSIL)
- Receives Food Stamps or was determined eligible to receive in the last six months
- Homeless per 103(a) and 103(c) of the McKinney Act
- Publicly supported Foster Child
- Individual with a disability and own income at or below Poverty Line or 70% of the LLSIL

#### **AND**

Meets the definition and provides a verification source for one or more of the following Barrier categories:

- Basic Skills Deficient
- School Dropout
- Homeless, Runaway, or Foster Child
- Pregnant or Parenting
- Offender
- Is an individual (including a youth with a disability) who requires additional assistance to complete an educational program or to secure and hold employment

## ACT AND/OR REGULATION CITATION

Act 129(c)(5); 20 CFR 664.220

## WIA ELIGIBILITY REQUIREMENTS YOUTH (14 – 21) (continued)

**OR**

**EXCEPTION** – Not more than 5% of participants assisted under the youth program in each local area may be individuals who do not meet the low income criteria to be considered eligible youth, if such individuals meet 1 or more of the following categories:

- School Dropout
- Basic Skills Deficient
- Behind Grade Level
- Pregnant or Parenting
- Individual with disabilities, including learning disabilities
- Homeless or Runaway
- Offender
- Serious barriers to employment as identified by the local board and described in the local plan.

**NOTE:** A youth may be determined eligible at age 13, but must be age 14 at the time a service is provided.

## **YOUTH (14 – 21)**

**Individuals must meet General Eligibility, which consists of Citizenship or Eligible to Work, Age, and Selective Service Registration.**

**Citizenship or Eligible to Work** – participation in programs and activities financially assisted in whole or part under WIA shall be open to citizens and nationals of the United States, lawfully admitted permanent resident aliens, lawfully admitted refugees and parolees, and other individuals authorized by the Attorney General to work in the United States (applies to all programs under Title I). **[Act 188(a)(5)]**

**Selective Service Registrant** – the Secretary shall ensure that each individual participating in any program established under WIA, or receiving any assistance or benefit under WIA, has not violated Section 3 of the Military Selective Service Act (MSSA) (50 U.S.C. App. 453) by not presenting or submitting to registration as required pursuant to such section. The Director of the Selective Service System shall cooperate with the Secretary in carrying out this section.

**Note:** Males born on or after January 1, 1960 must register with the selective service system within 30 days after their 18<sup>th</sup> birthday or at least before they reach the age of 26. **[Act 189(h)]**

**Procedures outlined in TEGL No. 4-89, dated March 19, 1990, and TEGL No. 8-98, dated November 4, 1998, must be followed.**

**Age** – for youth is not less than age 14 and not more than age 21 **[Act 101(13) and 20 CFR 664.200(a)]**

**In addition, individuals must meet the following Specific Eligibility: Youth must meet the definition of one of the six Low-income categories AND must meet the definition of one of the six youth Barriers. If the youth is not Low-income with a Barrier, youth must meet the definition of one of the eight Exception categories.**

**Low-income Individual** – an individual who

- (A) receives, or is a member of a family that receives cash payments under a Federal, State, or local income-based public assistance program;
- (B) received an income, or is a member of a family that received a total family income, for the six-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old-age and survivors insurance benefits received under Section 202 of the Social Security Act (42 U.S.C. 402)) that, in relation to family size, does not exceed the higher of
  - (i) the poverty line, for an equivalent period; or
  - (ii) 70 percent of the lower living standard income level for an equivalent period;
- (C) is a member of a household that receives (or has been determined within the six month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);
- (D) qualifies as a homeless individual, as defined in subsections (a) and (c) of Section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302);

## **YOUTH (14 – 21)**

(continued)

- (E) is a foster child on behalf of whom State or local government payments are made; or
- (F) in cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirements of a program described in subparagraph (A) or of subparagraph (B), but who is a member of a family whose income does not meet such requirements.

## **BARRIERS**

A low-income youth (14 – 21) who has one or more of the following barriers:

**Deficient in Basic Literacy Skills** – an individual who

- (1) Computes or solves problems, reads, writes, or speaks English at or below the 8<sup>th</sup> grade level on a generally accepted standardized test or a comparable score on a criterion-referenced test; or
- (2) Is unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual's family or in society.

**School Dropout** – an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent.

### **Homeless, Runaway Youth, or Foster Child**

- **Homeless** – qualifies as a homeless individual that is an individual who lacks a fixed regular, adequate nighttime residence, and any adult or youth who has a primary nighttime residence that
  - (a) is a publicly or privately operated shelter for temporary accommodation;
  - (b) an institution providing a temporary residence for individuals intended to be institutionalized; or
  - (c) a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

The term does not include a person imprisoned or detained pursuant to an Act of Congress or State law (Section 103 of the Stewart B. McKinney Act); or is a runaway youth.

- **Runaway Youth** – a youth (14–18) who absents himself or herself from home or place of legal residence without the permission of parents or legal guardian.
- **Foster Child** – a foster child is an individual on behalf of whom State or local government payments are made.
- **Pregnant or Parenting Youth** – an individual who is under 22 years of age and who is pregnant, or a youth (male or female) who is providing custodial care for one or more dependents under age 18.
- **Offender** – any adult or juvenile
  - (A) who is or has been subject to any stage of the criminal justice process, for whom services under this Act may be beneficial; or

## **YOUTH (14 – 21)**

(continued)

- who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

**An individual (including youth with a disability) who requires additional assistance to complete an educational program, or to secure and hold employment** – definitions and eligibility verification requirements regarding the “requires additional assistance to complete an educational program, or to secure and hold employment” criterion must be established by the Local Board.

### **EXCEPTIONS (YOUTH)**

**Exceptions/Youth Only** – up to five percent of youth participants served by youth programs in a local area may be individuals who do not meet the income criterion for eligible youth provided that they are within one or more of the following categories.

**Deficient in Basic Literacy Skills** – an individual who

- (1) Computes or solves problems, reads, writes, or speaks English at or below the 8<sup>th</sup> grade level on a generally accepted standardized test or a comparable score on a criterion-referenced test; or
- (2) Is unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual's family or in society.

**[Training and Employment Guidance Letter (TEGL) No. 14-00, Change 1, Attachment E]**

**School Dropout** – an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent.

**Behind Grade Level** – individuals with educational attainment that is one or more grade levels below the grade level appropriate to the age of the individual.

#### **Homeless or Runaway Youth**

- Homeless – qualifies as a homeless individual, that is an individual who lacks a fixed regular, adequate nighttime residence; and any adult or youth who has a primary nighttime residence that is
  - (1) a publicly or privately operated shelter for temporary accommodation;
  - (2) an institution providing a temporary residence for individuals intended to be institutionalized; or
  - (3) a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

The term does not include a person imprisoned or detained pursuant to an Act of Congress or State law (Section 103 Stewart B. McKinney Act).

- **Runaway Youth** – a youth (14–18) who absents himself or herself from home or place of legal residence without permission of parents or legal guardian.



## **YOUTH (14 – 21)**

(continued)

**Pregnant or Parenting Youth** – an individual who is under 22 years of age and who is pregnant, or a youth (male or female) who is providing custodial care for one or more dependents under age 18.

**An individual (including youth with a disability) who requires additional assistance to complete an educational program, or to secure and hold employment** – definitions and eligibility verification requirements regarding the “requires additional assistance to complete an educational program, or to secure and hold employment” criterion must be established by the Local Board.

**Offender** – any adult or juvenile who is or has been subject to any stage of the criminal justice process, for whom services under this Act may be beneficial; or who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

**Serious Barriers** – to employment as identified by the Local Board and described in the local plan.